47TH CONGRESS, 1st Session. SENATE. REPORT No. 686.

IN THE SENATE OF THE UNITED STATES.

JUNE 5, 1882.—Ordered to be printed.

Mr. LAPHAM, from the Committee on Woman Suffrage, submitted the following

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REPORT:

[To accompany S. Res. 60.]

The Select Committee on Woman Suffrage, to whom was referred Senate resolution No. 60, proposing an amendment to the Constitution of the United States to secure the right of suffrage to all citizens without regard to sex, having considered the same, respectfully report:

The gravity and importance of the proposed amendment must be obvious to all who have given the subject the consideration it demands.

A very brief history of the origin of this movement in the United States and of the progress made in the cause of female suffrage will not be out of place at this time.

A World's Anti-Slavery Convention was held in London on the 12th of June, 1840, to which delegates from all the organized societies were invited. Several of the American societies sent women as delegates. Their credentials were presented, and an able and exhaustive discussion was had by many of the leading men of America and Great Britain upon the question of their being admitted to seats in the convention. They were allowed no part in the discussion. They were denied seats as delegates; and, by reason of that denial, it was determined to hold conventions after their return to the United States, for the purpose of asserting and advocating their rights as citizens, and especially the right of suffrage.

Prior to this, and as early as the year 1836, a proposal had been made in the legislature of the State of New York to confer upon married women their separate rights of property. The subject was under consideration and agitation during the eventful period which preceded the constitutional convention of New York in the year 1846, and the radical changes made in the fundamental law in that year. In 1848 the first act "for the more effectual protection of the property of married women" was passed by the legislature of New York and became a law. It passed by a vote of 93 to 9 in the assembly and 23 to 1 in the senate. It was subsequently amended so as to authorize women to engage in business on their own account and to receive their own earnings.

This legislation was the outgrowth of a bill prepared several years before under the direction of the Hon. John Savage, chief justice of the supreme court, and of the Hon. John C. Spencer, one of the ablest lawyers in the State, one of the revisers of the statutes of New York, and afterward a cabinet officer.

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Laws granting separate rights of property, and the right to transact business similar to those adopted in New York, have been enacted in many, if not in most, of the States, and may now be regarded as the settled policy of American legislation on the subject.

After the enactment of the first law in New York, as before stated, and in the month of July, 1848, the first convention demanding suffrage for women was held at Seneca Falls in said State. The same persons who had been excluded from the World's Convention in London were prominent and instrumental in calling the meeting and in framing the declaration of sentiments adopted by it, which, after reciting the unjust limitations and wrongs to which women are subjected, closed in these words:

> Now, in view of this entire disfranchisement of one-half of the people of this country and their social and religious degradation; in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of the United States.
>
> In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate tracts, petition the State and national legislatures, and endeavor to enlist the pulpit and the pen in our behalf. We hope this convention will be followed by a series of conventions embracing every part of the country.

The meeting also adopted a series of resolutions, one of which was in the following words:

> *Resolved*, That it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.

This declaration was signed by seventy of the women of Western New York, among whom was one or more of those who addressed your committee on the subject of the pending amendment, and there were present participating in and approving of the movement a large number of prominent men, among whom were Elisha Foot, a lawyer of distinction, and since that time Commissioner of Patents, and the Hon. Jacob Chamberlain, who afterwards represented his district in the other house.

From the movement thus inaugurated conventions have been held from that time to the present in the principal villages, cities, and capitals of the various States, as well as the capital of the nation.

The First National Convention upon the subject was held at Worcester, Mass., in October, 1850, and had the support and encouragement of many leading men of the republic, among whom we name the following: Gerritt Smith, Joshua R. Giddings, Ralph Waldo Emerson, John G. Whittier, A. Bronson Alcott, Samuel J. May, Theodore Parker, William Lloyd Garrison, Wendell Phillips, Elizur Wright, William J. Elder, Stephen S. Foster, Horace Greeley, Oliver Johnson, Henry Ward Beecher, Horace Mann.

The Fourth National Convention was held at the city of Cleveland, in Ohio, in October, 1853. The Rev. Asa Mahan, president of Oberlin College, and Hon. Joshua R. Giddings were there. Horace Greeley and William Henry Channing addressed letters to the convention. The letter of Mr. Channing stated the proposition to be that the—

> Right of suffrage be granted to the people, universally, without distinction of sex; and that the age for attaining legal and political majority be made the same for women as for men.

In 1857, Hon. Salmon P. Chase, Chief Justice of the Supreme Court of the United States, then governor of Ohio, recommended to the legislature a constitutional amendment on the subject, and a select com-

mittee of the senate made an elaborate report, concluding with a resolution in the following words:

Resolved, That the judiciary committee be instructed to report to the senate a bill to submit to the qualified electors, at the next general election for senators and representatives, an amendment to the constitution, whereby the elective franchise shall be extended to the citizens of Ohio *without distinction of sex*.

During the same year a similar report was made in the legislature of Wisconsin. From the report on that subject we quote the following:

We believe that political equality will, by leading the thoughts and purposes of the sexes to a just degree into the same channel, more completely carry out the designs of nature. Woman will be possessed of a positive power, and hollow compliments will be exchanged for well-grounded respect, when we see her nobly discharging her part in the great intellectual and moral struggle of the age that wait their solution by a direct appeal to the ballot-box. Woman's power is at present poetical and unsubstantial; let it be practical and real. There is no reality in any power that cannot be coined into votes.

The effect of these discussions and efforts has been the gradual advancement of public sentiment towards conceding the right of suffrage without distinction of sex. In the Territories of Wyoming and Utah, full suffrage has already been given. In regard to the exercise of the right in the Territory of Wyoming, the present governor of that Territory (Hon. John W. Hoyt), in an address delivered in Philadelphia, on the 3d of April, of the present year, in answer to a question as to the operation of the law, said:

First of all, the experience of Wyoming has shown that the only actual trial of woman suffrage hitherto made—a trial made in a new country where the conditions would not happen to have been exceptionably favorable—has produced none but the most desirable results. And surely none will deny that in such a matter a single ounce of experience is worth a ton of conjecture.

But since it may be claimed that the sole experiment of Wyoming does not afford a sufficient guaranty of general expediency, let us see whether reason will not furnish a like answer. The great majority of women in this country already possess sufficient intelligence to enable them to vote judiciously on nearly all questions of a local nature. I think this will be conceded. Secondly, with their superior quickness of perception, it is fair to assume that when stimulated by a demand for a knowledge of political principles—such a demand as a sense of the responsibility of the voter would create—they would not be slow in rising to at least the rather low level at present occupied by the average masculine voter. So that, viewing the subject from an intellectual stand-point merely, such fears as at first spring up drop away, one by one, and disappear.

But it must not be forgotten that a very large proportion of questions to be settled by the ballot, both those of principle and such as refer to candidates, have in them a *moral* element which is vital. And here we are safer with the ballot in the hands of woman; for her keener insight and truer moral sense will more certainly guide her aright—and not her alone, but also, by reflex action, all whose minds are open to the influence of her example. The weight of this answer can hardly be overestimated. In my judgment, this moral consideration far more than offsets all the objections that can be based on any assumed lack of an intellectual appreciation of the few questions almost wholly commercial and economical.

Last of all, a majority of questions to be voted on touch the interests of woman as they do those of man. It is upon her finer sensibilities, her purer instincts, and her maternal nature that the results of immorality and vice in every form fall with more crushing weight.

A criticism has been made upon the exercise of this right by the women of Utah that the plural wives in that Territory are under the control of their polygamous husbands. Be that as it may, it is an undoubted fact that there is probably no city of equal size on this continent where there is less disturbance of the peace or where the citizen is any more secure in his person or property, either by day or night, than in the city of Salt Lake. A qualified right of suffrage has also been given to women in Oregon, Colorado, Minnesota, Nebraska, Kansas, Vermont, New Hampshire, Massachusetts, Michigan, Kentucky,

and New York. Of the operation of the law in the last-named State, the governor of the State, in a message to the legislature on the 12th May last, said:

The recent law making women eligible as school trustees has produced admirable results, not only in securing the election of many of them as trustees of schools, but especially in elevating the qualifications of men proposed as candidates for school boards, and also in stimulating greater interest in the management of schools generally. The effect of these new experiences is to widen the influence and usefulness of women.

So well satisfied are the representatives in the legislature of that State with these results that the assembly, by a large majority, recently passed to a third reading an act giving the full right of suffrage to women, the passage of which has been arrested in the senate by an opinion of the attorney-general that a constitutional amendment is necessary to accomplish the object.

In England women are allowed to vote at all municipal elections and hold the office of guardian of the poor. In four States, Nebraska, Indiana, Oregon, and Iowa, propositions have passed their legislatures and are now pending, conferring the right of suffrage upon women.

Notwithstanding all these efforts, it is the opinion of the best informed men and women, who have devoted more than a third of a century to the consideration and discussion of the subject, that an amendment to the Federal Constitution, in analogy to the fifteenth amendment of that instrument, is the most safe, direct, and expeditious mode of settling the question. It is the question of the enfranchisement of half a race now denied the right, and that, too, the most favored race in the estimation of those who deny the right. Petitions, from time to time, signed by many thousand petitioners, have been presented to Congress, and there are now upon our files seventy-five petitions representing eighteen different States. Two years ago treble the number of petitions, representing over twenty-five different States, were presented.

If Congress should adopt the pending resolution, the question would go before the intelligent bodies who are chosen to represent the people in the legislatures of the various States, and would receive a more enlightened and careful consideration than if submitted to the masses of the male population, with all their prejudices, in the form of an amendment to the constitution of the several States. Besides, such an amendment, if adopted, would secure that uniformity in the exercise of the right which could not be expected by action from the several States.

We think the time has arrived for the submission of such an amendment to the legislatures of the States. We know the prejudices which the movement for suffrage to all, without regard to sex, had to encounter from the very outset, prejudices which still exist in the minds of many. The period for employing the weapons of ridicule and enmity has not yet passed. Now, as in the begining, we hear appeals to prejudice and the baser passions of men. The anathema "woe betide the hand which plucks the wizard beard of hoary error" is yet employed to deter men from acting upon their convictions as to what ought to be done with reference to this great question. To those who are inclined to cast ridicule upon the movement, we quote the answer made while one of the early conventions was in session in the State of New York:

A collection of women arguing for political rights and for the privileges usually conceded only to the other sex is one of the easiest things in the world to make fun of. There is no end to the smart speeches and the witty remarks that may be made on the subject. But when we seriously attempt to show that a woman who pays taxes ought not to have a voice in the manner in which the taxes are expended, that a woman whose property and liberty and person are controlled by the laws, should have no voice in framing those laws, it is not so easy. If women are fit to rule in the mon-

archies, it is difficult to say why they are not qualified to vote in a republic; nor can there be greater indelicacy in a woman going up to the ballot-box than there is in a woman opening a legislature or issuing orders to an army.

To all who are more serious in their opposition to the movement, we remind them of the words of Abraham Lincoln:

I go for all sharing the privileges of the government who assist in bearing its burdens, by no means excluding women.

Of Bishop Simpson:

I believe that the vices in our large cities will never be conquered until the ballot is put into the hands of women.

Of the Rev. James Freeman Clark:

I do not think our politics will be what they ought to be till women are legislators and voters.

Of George William Curtis:

Women have quite as much interest in good government as men, and I have never heard or read of any satisfactory reason for excluding them from the ballot-box: I have no more doubt of their ameliorating influence upon politics than I have of the influence they exert everywhere else.

Of Bishop Gilbert Haven:

In view of the terrible corruption of our politics, people ask, can we maintain universal suffrage? I say no, not without women. The only bear garden in our community is the town meeting and the caucus. Why is this? Because these are the only places at which women are not present.

Of Governor Long, of Massachusetts:

I repeat my conviction of the right of woman suffrage. Because suffrage is a right and not a grace it should be extended to women who bear their share of the public cost, and who have the same interest that I have in the selection of its officials, and the making of its laws which affect their lives, their property, and their happiness.

Of Herbert Spencer:

However much the giving of political power to women may disagree with our notions of propriety, we conclude that, being required by that first prerequisite to greater happiness, the law of equal freedom, such a concession is unquestionably right and good.

And of Plato:

In the administration of a state, neither a woman as a woman, nor a man as a man has any special functions, but the gifts are equally diffused in both sexes. The same opportunity for self-development which makes man a good guardian will make woman a good guardian, for their original nature is the same.

It has become a custom, almost universal, to invite and to welcome the presence of women at political assemblages, to listen to discussions upon the topics involved in the canvass. Their presence has done much toward the elevation, refinement, and freedom from insincerity and hypocrisy in such discussions. Why would not the same results be wrought out by their presence at the ballot-box? Wherever the right has been exercised by law, both in England and in this country, such has been its effect in the conduct of elections.

The framers of our system of government embodied in the Declaration of Independence the statement that to secure the rights which are therein declared to be inalienable and in respect to which all men are created equal, "*governments are instituted among men deriving their just powers from the consent of the governed.*" The system of representative government they inaugurated can only be maintained and perpetuated by allowing all citizens to give that consent through the medium of the ballot-box; the only mode in which the "consent of the governed" can

be obtained. To deny to one-half of the citizens of the republic all participation in framing the laws by which they are to be governed, simply on account of their sex, is political despotism to those who are excluded, and "taxation without representation" to such of them as have property liable to taxation. Their investiture with separate estates leads, logically and necessarily, to their right to the ballot as the only means afforded them for the protection of their property, as it is the only means of their full protection in the enjoyment of the immeasurably greater right to life and liberty. To be governed without such consent is a clear denial of a right declared to be inalienable.

It is said that the majority of women do not desire and would not exercise the right, if acknowledged. The assertion rests in conjecture. In ordinary elections multitudes of men do not exercise the right. It is only in extraordinary cases, and when their interests and patriotism are appealed to, that male voters are with unanimity found at the polls. It would doubtless be the same with women. In the exceptional instances in which the exercise of the right has been permitted they have engaged with zeal in every important canvass. Even if the statement were founded in fact, it furnishes no argument in favor of excluding women from the exercise of the franchise. *It is the denial of the right of which they complain.* There are multitudes of men whose vote can be purchased at an election for the smallest and most trifling consideration. Yet all such would spurn with scorn and unutterable contempt a proposition to purchase their *right to vote*, and no consideration would be deemed an equivalent for such a surrender. Women are more sensitive upon this question than men, and so long as this right, deemed by them to be sacred, is denied, so long the agitation which has marked the progress of this contest thus far will be continued.

Entertaining these views, your committee report back the proposed resolution without amendment for the consideration of the Senate, and recommend its passage.

E. G. LAPHAM.
T. M. FERRY.
H. W. BLAIR.

The Constitution is wisely conservative in the provision for its own amendment. It is eminently proper that whenever a large number of the people have indicated a desire for an amendment, the judgment of the amending power should be consulted. In view of the extensive agitation of the question of woman suffrage, and the numerous and respectable petitions that have been presented to Congress in its support, I unite with the committee in recommending that the proposed amendment be submitted to the States.

H. B. ANTHONY.

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